

REMARKS

Applicant expressly reserves the right to prosecute any nonelected subject matter not rejoined here in a divisional application should that prove to be necessary.

According to the Examiner, the various species lack unity of invention because they are not so linked as to form a single general inventive concept. However, it appears that, except for Category A, the remaining categories are taken from the dependent claims, i.e., claims 3-7, respectively. And, Applicants respectfully point out that unity of invention is determined in the first instance only with respect to the independent claim; if the independent claim is characterized by unity of invention, then it is irrelevant that the dependent claims may not be. See, MPEP § 1850(II). With respect to Category A, the species are clearly linked to form a single inventive concept, that being that these parameters are all parameters of the body to be treated, and are to be taken into account during the physiology-based pharmacokinetic and/or pharmacodynamic simulating with the time-variable application profile.

Respectfully, Applicants submit that the claims are, in fact, characterized by unity of invention, and this restriction requirement is improper and should be withdrawn. An early notice that this restriction requirement has been reconsidered and withdrawn is earnestly solicited.

Early and favorable action is earnestly solicited.

Respectfully submitted,

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